

[according to] having the amino acid sequence of SEQ ID NO:2 and a full length, wild-type human  $\beta_2$ m.

9. (Amended) A composition [for treating an iron deficiency disease comprising administering to a patient a therapeutically effective amount of a soluble complex] comprising an HFE polypeptide [according to] having the amino acid sequence of SEQ ID NO:3 and a full length, wild-type human  $\beta_2$ m.

### **REMARKS**

***Amendments to the Claims.*** The claims have been amended, without prejudice, to clearly and distinctly claim what Applicants regard as the invention. The amendments do not introduce new matter, and they are fully supported by the claims as originally filed. Entry pursuant to 36 C.F.R. § 1.111 is respectfully requested.

Further, Applicants note that both the restriction requirement issued on December 3, 2002 and the species election requirement indicate that Claims 1-6 are pending, while in fact Claims 1-6 had been cancelled in a preliminary amendment filed March 4, 2002 and replaced by new Claims 7-9. It is respectfully requested that the office enter the March 4, 2002 amendment.

***Response to Species Election Requirement.*** In response to the requirement for species election, Applicants elect, without traverse, SEQ ID NO:3 as the species to be examined on the merits. Claim 9 reads on the elected species.

Applicants respectfully request that the above-made remarks be made of record in the file history of the present application.

**CONCLUSION**

In view of the foregoing selection, the pending claims are believed to be in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

No fee is believed due in connection with this response. However, should the Commissioner determine otherwise, he is authorized to charge any required fee or credit any overpayment to Pennie & Edmonds LLP Deposit Account No. 16-1150 (order no. 8907-098-999).

Respectfully submitted,

Date May 7, 2003

  
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